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#3

2000 strorney Docket No. B0801/7159

#### DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### CHARACTERIZATION OF NOVEL GENE CBL-SL

the specification of which is attached hereto unless the following is checked: [X] was filed on November 5, 1999, as United States Application No. 09/434,708 or PCT (Include Series Code) International Application \_\_\_\_\_, bearing attorney docket No. \_\_\_\_\_ and was amended on (if applicable). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56. I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed: Prior Foreign PCT International Application(s) and any priority claims under 35 U.S.C. §§119 and 365(a),(b): **Priority** Claimed [][](Country-if PCT,so indicate) (DD/MM/YY Filed) YES NO (Number) [][]

(Number)

(Country)

(DD/MM/YY Filed)

YES NO

[][]

(Number)

(Country)

(DD/MM/YY Filed)

YES NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(Application Number)

(filing date)

(Application Number)

(filing date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56

-3-

which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application No.) (filing date) (status-patented, pending, abandoned)

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PCT International Applications designating the United States:

(PCT Appl. No.) (U.S. Ser. No.) (PCT filing date) (status-patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| David Wolf George L. Greenfield Stanley Sacks Edward F. Perlman Lawrence M. Green Steven J. Henry Therese A. Hendricks Edward R. Gates William R. McClellan Ronald J. Kransdorf M. Lawrence Oliverio Charles E. Pfund Jason M. Honeyman | 17,528<br>17,756<br>19,900<br>28,105<br>29,384<br>27,900<br>30,389<br>31,616<br>29,409<br>20,004<br>30,915<br>17,030<br>31,624 | Peter C. Lando Gary S. Engelson Peter J. Gordon Randy J. Pritzker Richard F. Giunta Douglas R. Wolf Elizabeth R. Plumer Timothy J. Oyer John N. Anastasi Helen C. Lockhart James M. Hanifin,Jr. Christopher S. Schultz Paul D. Sorkin | 34,654<br>35,128<br>35,164<br>35,986<br>36,149<br>36,971<br>36,637<br>36,628<br>37,765<br>39,248<br>39,213<br>37,929<br>39,039 | Michael G. Verga Robert E. Rigby, Jr. Robert A. Skrivanek, Jr. Robert M. Abrahamsen Lesley A. Hamlin Ivan D. Zitkovsky Edward J. Russavage Alan B. Sherr John C. Gorecki William G. Gosz Thomas P. Grodt Neil P. Ferraro Julie A. Beberman | 39,410<br>36,904<br>41,316<br>40,886<br>41,054<br>37,482<br>43,069<br>42,147<br>38,471<br>27,787<br>41,045<br>39,188<br>40,906 |
|---|--|---|--|--|--|
| James H. Morris   | 34,681   | John R. Van Amsterdar<br>Matthew B. Lowrie  | ,  | Lisa E. Winsor   | 44,405   |
|   |  | Maunew B. Lowrie  | 30,220   |  |  |

Address all telephone calls to Elizabeth R. Plumer at telephone no. (617) 720-3500. Address all correspondence to

Elizabeth R. Plumer c/o Wolf, Greenfield & Sacks, P.C., Federal Reserve Plaza 600 Atlantic Avenue Boston, MA 02210-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature

Date

Full name of sole or first inventor Hamid BAND

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Residence (City and State, or City and Country for non-U.S. residence)

Brookline, MA

Post Office Address 1355 Beacon Street, Waban, Massachusetts 02468-1745

Inventor's signature

Date

Full name of second or joint inventor Francescopaolo BORRIELLO

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Boston, MA

Post Office Address 20 Perry Street, Brookline, MA 02146

AS.



Attorney Docket No. B0801/7159

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420039\_1.DOC 420039.1 (Number)

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Tur excupato Pornillo 1/20/29
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Full name of second or joint inventor Francescopaolo BORRIELLO

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